



DEC 08 2008

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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SUBJECT:

Fatality Review Committee Decision on Chargeability

Case No.: M-2008-25 [REDACTED]

Deceased: [REDACTED]

Date of Incident: 08/04/2008

Date of Death: 08/04/2008

Operator: Vulcan Construction
Materials LP

Mine: Norcross Quarry

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. MSHA's investigation revealed that [REDACTED] was employed as the 2nd shift plant operator at the Norcross Quarry. Another employee found [REDACTED] unconscious on the walkway outside the Wet Bins MCC Electrical Room. He was given emergency medical assistance and transported to the Gwinnett Medical Center where he was pronounced dead. MSHA's investigation did not identify any health or safety hazards inside or outside the MCC Electrical Room. The Certificate of Death lists the cause of death as hypertensive and atherosclerotic cardiovascular disease. An autopsy was not performed.

Based on the Certificate of Death and the results of MSHA's investigation, the committee members concluded that [REDACTED] died of natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler
John Pallasch
Robert M. Friend